

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents
Washington, D.D. 20231
ATTENTION LICENSING AND REVIEW

Declaration of James A. O'Malley

I, James A. O'Malley, do hereby declare as follows:

1. I am a registered United States patent attorney, Registration Number 45,952, and an associate in the firm of Trexler, Bushnell, Giangiorgi, Blackstone & Marr, Ltd., 105 W. Adams Street, Suite 3600, Chicago, Illinois 60603.
2. On January 5, 2001, our firm filed a United States Provisional Patent Application with the United States Patent and Trademark Office for an invention entitled "Improved Hydraulic Punch Driver", which was assigned Serial No. 60/259,947.
3. On November 13, 2001, our firm filed a United States Patent Application with the United States Patent and Trademark Office for an invention entitled "Hydraulic Punch Driver" (Serial No. unknown), which claimed priority from the United States Provisional Patent Application Serial No. 60/259,947.
4. On December 7, 2001, our firm received instructions from Mr. Steve Wehrle, Risk Manager of Greenlee Textron Inc. (the employer of the inventors), requesting that a German patent application be filed for this invention.
5. On December 10, 2001, our firm sent a letter to our German associates, Eisenfuhr, Speiser & Partner, requesting that they file a German patent application for this invention before January 5, 2002 (the one year bar date), but requested that they delay the filing of the German patent application until our firm notified them that the Foreign Filing License had been granted. A copy of this letter is attached as Exhibit 1.
6. On December 26, 2001, our firm sent a letter to Mr. William S. Field of William S. Field & Associates in which we requested that Mr. Field obtain a Foreign Filing License for this invention (enclosing the appropriate documents therewith) within one week of the date of the letter, as our firm had yet to receive a filing receipt license indicating that a foreign filing license was granted. A copy of this letter is attached as Exhibit 2.
7. On January 2, 2002, Mr. Field called our firm to inform us that the Foreign Filing License for this invention should be granted no later than January 4, 2002.

8. On January 2, 2002, our firm sent a letter to our German associates requesting that the German patent application be filed on January 4, 2002 as the Foreign Filing License should be granted by that date. A copy of this letter is attached as Exhibit 3.

9. On January 3, 2002, our German associates sent a letter to us indicating safe receipt of our letters dated December 10, 2001 and January 2, 2002 and confirming that a German patent application would be filed before January 5, 2002. A copy of this letter is attached as Exhibit 4.

10. On January 3, 2002, Mr. Field sent us a copy of a Foreign Filing License for this invention which was granted on January 3, 2002 and was assigned Serial No. P-105,234 and License No. 528,071. A copy of the Foreign Filing License is attached as Exhibit 5.

11. On January 31, 2002, our firm received a letter from our German associates (dated January 23, 2002) indicating that the German application was filed with the German Patent Office on December 28, 2001 and was assigned Serial No. 101 64 376.4. A copy of this letter is attached as Exhibit 6.

12. On February 7, 2002, our firm sent a letter to our German associates regarding the filing date of the German patent application as we requested the German application to be filed on January 4, 2002, but the application was filed on December 28, 2001. A copy of this letter is attached as Exhibit 7.

13. On February 13, 2002, our firm sent a reminder letter to our German associates regarding the filing date of the German patent application. A copy of this letter is attached as Exhibit 8.

14. On February 14, 2002, I received a telephone call from Mr. Jürgen Klinghardt, one of our German associates, in which he stated that a younger member of his firm had accidentally filed the German patent application on December 28, 2001 (six (6) days prior to the granting of the foreign filing license), rather than waiting to file the German patent application until he received our explicit instructions to do so.

15. Upon realizing that the German patent application was filed in violation of 35 U.S.C. §184, I prepared the instant Petition for Retroactive License and this Declaration.

16. The patent application filed in Germany on December 28, 2001 is virtually identical to the United States patent application filed on November 13, 2001.

17. I confirm that the subject matter in question was not under a secrecy order at the time it was filed abroad, and that it is not currently under a secrecy order.

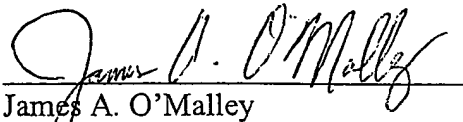
18. This license is being diligently sought after discovery of the proscribed foreign filing.

19. This material was filed abroad through error and without deceptive intent without the required license under §5.11 first having been obtained.

20. I further declare that all statements made herein of my own personal knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-referenced application or any patent issuing thereon.

Date 2/18/02

311211


James A. O'Malley

TREXLER BUSHNELL, GIANGIORGI, BLACKSTONE MARR LTD.

COUNSELORS AT LAW

THE CLARK ADAMS BUILDING

105 WEST ADAMS STREET, SUITE 3600

CHICAGO, ILLINOIS 60603-6299

(312) 704-1890

December 10, 2001

FOUNDED 1890

PATENT, TRADEMARK, COPYRIGHT
AND RELATED MATTERS: ALL PHASES
INCLUDING LICENSING AND LITIGATION

FAX: (312) 704-8023
www.trexlaw.com

RICHARD R. TREXLER (1906-1995)
RICHARD A. GIANGIORGI
RAIFORD A. BLACKSTONE, JR.
DAVID J. MARR
LINDA L. PALOMAR
JAMES R. FOLEY
JAMES A. O'MALLEY
TIMOTHY M. MCCARTHY
PAIGE A. KITZINGER

OF COUNSEL
RICHARD BUSHNELL

**VIA FACSIMILE, CONFIRMATION AND
ENCLOSURES VIA DHL**

Eisenfuhr, Speiser & Partner
Martinistrasse 24
28195 Bremen
Germany

Re: Proposed German Patent Application
CLAIMING PRIORITY OF
United States Provisional Patent Application
Serial Nos. 60/259,947; and formal
Patent Application Serial No. (Not yet available)
For: "HYDRAULIC PUNCH DRIVER"
Our Ref: Greenlee Case 283-Germany (913/39742)

Dear Sirs:

We enclose herewith material to file a Patent Application in Germany before January 5, 2002. Full particulars concerning the Applicant, etc., are set forth on the attached sheet of particulars. We will advise you of the *serial number of the formal patent application filed on November 13, 2001 as soon as it is available to us*.

Enclosed please find the following:

- 1) Specification 16 pages
- 2) Claims six pages 22 claims
- 3) Abstract one page
- 4) A copy of the informal drawings-
six sheets, 6 FIGS.

We will forward under separate cover the Certified Copies of the United States Provisional and formal applications and the formal drawings.

TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.

Eisenfuhr, Speiser & Partner
December 10, 2001
Page 2

NOTE: Please delay filing this patent application until we notify you that the Foreign Filing License has been granted.

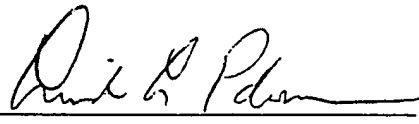
Kindly acknowledge safe receipt of these instructions by return facsimile.

Please advise if you need anything further from us to comply with the filing requirements.

Thank you for your cooperation.

Sincerely,

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

By 
Linda L. Palomar

LLP/mk/Enc.
Enclosures via DHL

Foreign Filings
Greenlee Case 283-Germany

FOR:

"HYDRAULIC PUNCH DRIVER"

INVENTOR/S

William F. Nordlin
1672 Candlewick Dr.
S.W. Poplar Grove, Illinois 61065 USA

Thomas Gene Boese
3993 Courtland Terrace
Rockford, Illinois 61109 USA

APPLICANT:

GREENLEE TEXTRON INC.
4455 Boeing Drive
Rockford, Illinois 61109 USA

(A corporation of the state of Delaware)

PRIORITIES:

UNITED STATES PROVISIONAL PATENT APPLICATION
SERIAL NO. 60/259,947
Filed: January 5, 2001

UNITED STATES FORMAL PATENT APPLICATION
SERIAL NO. Not available yet
Filed: November 13, 2001

TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR LTD.
COUNSELORS AT LAW

THE CLARK ADAMS BUILDING
105 WEST ADAMS STREET, SUITE 3600

CHICAGO, ILLINOIS 60603-6299

(312) 704-1890

FOUNDED 1890

PATENT, TRADEMARK, COPYRIGHT
AND RELATED MATTERS: ALL PHASES
INCLUDING LICENSING AND LITIGATION

FAX: (312) 704-8023
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RICHARD R. TREXLER (1906-1995)
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DAVID J. MARR
LINDA L. PALOMAR
JAMES R. FOLEY
JAMES A. O'MALLEY
TIMOTHY M. MCCARTHY
PAIGE A. KITZINGER

December 26, 2001

OF COUNSEL
RICHARD BUSHNELL

VIA FEDERAL EXPRESS

Mr. William S. Field
William S. Field & Associates
2101 Crystal Plaza Arcade
PMB 329
Arlington, Virginia 22202

Re: Greenlee Textron Inc.
United States Patent Application
Based Upon U.S. Provisional Application
Serial No. 60/259,947, filed on January 5, 2001
For: **HYDRAULIC PUNCH DRIVER**
Our Ref.: Greenlee Case 283 (913/38954)

Dear Bill:

For the above-identified patent application, please find enclosed:

1. An original and a copy of a Petition for Expedited Foreign Filing License;
2. Two copies of the patent application which we filed on November 13, 2001, including six (6) sheets of informal drawings;
3. A copy of an executed Declaration;
4. A copy of an executed Assignment from the inventor to Greenlee Textron Inc.; and
3. A check for \$130.00 for the Petition fee.

Please proceed with obtaining the Foreign Filing License for this application and return it to our office, along with one copy of items (1) and (2). **We need to have the foreign filing license within one (1) week of the date of this letter.** We would also like to have a copy of the foreign filing license faxed to (312) 704-8023 to my attention when you receive it.

TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.

Mr. William S. Field
William S. Field & Associates
December 26, 2001
Page 2

If you have any questions, please contact us at your convenience.

Sincerely,

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

By: _____


James A. O'Malley

JAO:74831-1
Enclosures

TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR LTD.

COUNSELORS AT LAW

THE CLARK ADAMS BUILDING

105 WEST ADAMS STREET, SUITE 3600

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PATENT, TRADEMARK, COPYRIGHT
AND RELATED MATTERS; ALL PHASES
INCLUDING LICENSING AND LITIGATION

FAX: (312) 704-8023

www.trexlaw.com

**VIA FACSIMILE WITH
CONFIRMATION VIA AIR MAIL**

RICHARD R. TREXLER (1906-1995)
RICHARD A. GIANGIORGI
RAIFORD A. BLACKSTONE, JR.
DAVID J. MARR
LINDA L. PALOMAR
JAMES R. FOLEY
JAMES A. O'MALLEY
TIMOTHY M. MCCARTHY
PAIGE A. KITZINGER

OF COUNSEL

RICHARD BUSHNELL

January 2, 2002

Eisenfuhr, Speiser & Partner
Martinstrasse 24
28195 Bremen
GERMANY

Re: Proposed German Patent Application
CLAIMING PRIORITY OF
United States Provisional Patent Application
Serial No. 60/258,947; and formal
Patent Application Serial No. (unknown)
For: **"HYDRAULIC PUNCH DRIVER"**
Our Ref.: Greenlee Case 283-Germany (913/39742)

Dear Sirs:

Further to our letter dated December 10, 2001, please proceed with filing the above-identified patent application on January 4, 2002. The foreign filing license for this application should be granted by January 4, 2002 (but even if it is not granted, you are to file on January 4, 2002).

Please note that the formal United States patent application has not yet been assigned a Serial Number. We will forward this information to you once we receive it from the United States Patent and Trademark Office. If the Serial Number is necessary for the filing of the German patent application, please base the priority only on the United States provisional patent application Serial No. 60/258,947.

Kindly acknowledge safe receipt of these instructions by return facsimile.

Please advise if you need anything further from us to comply with the filing requirements.


TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR, LTD.

Eisenfuhr, Speiser & Partner
January 2, 2002
Page 2

Thank you for your cooperation.

Sincerely,

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

By: 
Linda L. Palomar

LLP/JAO:74967-1

Eisenführ, Speiser & Partner**BY FAX ONLY**

Messrs.

Trexler, Bushnell, Giangiorgi

& Blackstone, Ltd.

Attn.: Ms. Linda L. Palomar

105 West Adams Street, 36th Floor

Chicago, Ill. 60603-6299

U. S. A.

Bremen, 3 January 2002

Your Ref.: Greenlee Case 283-Germany (913/39742)

Our Ref.: G 588 SAS/hs

Direct Dial: +49-421-36 35 341

Greenlee Textron Inc.
 New German patent application
Hydraulic punch driver

Dear Ms. Palomar,

We confirm safe receipt of your letters dated December 10, 2001 and January 2, 2002 and confirm that the German patent application will be filed before January 5, 2002.

As regards the priority data of the United States provisional patent application please advise, whether the serial number 60/259,947 or 60/258,947 is correct. We have noted that the data provided in your two above referenced letters differs.

The serial number of the formal US application can be submitted to the German Patent and Trademark Office later. Please provide this serial number at your earliest convenience.

We will keep you informed on the further development of this filing.

Bremen

Patentanwälte
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 Dr.-Ing. Werner W. Rabus
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 Dipl.-Ing. Jürgen Klinghardt
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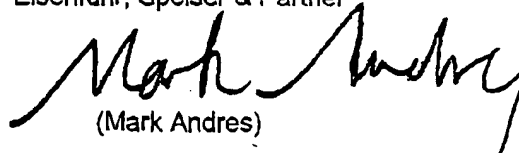
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 Dipl.-Ing. Jutta Kaden
 Patentanwalt
 Dipl.-Phys. Dr. Andreas Thuobald

Alicante

European Trademark Attorney
 Dipl.-Ing. Jürgen Klinghardt

Very truly yours,

Eisenführ, Speiser & Partner



(Mark Andres)

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

SERIAL NUMBER	REQUEST DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
P-105,234	12/31/01	WILLIAM F. NORDLIN, ET AL.	913/38954/283

Title: HYDRAULIC PUNCH DRIVER

Art Unit	Paper Number
----------	--------------

Correspondence Address:

LINDA L. PALOMAR
TREXLER, BUSHNELL, GIANGIORGI & BLACKSTONE & MARR
105 W. ADAMS STREET, 36TH FLOOR
CHICAGO, ILL 60603

Licensee under 35 U.S.C. 184 is hereby granted to file in any foreign country a patent application and any amendments thereto corresponding to the subject matter of this U.S. application identified above and/or any material accompanying the petition. This license is conditioned upon modification of any applicable secrecy order and is subject to revocation without notice.

License Number: 528,071

Grant Date: 03-Jan-02

Approved


for Commissioner of Patents and Trademark

This license empowers the filing, the causation and the authorization of the filing of a foreign application or applications on the subject matter identified above, subsequent forwarding of all duplicate and formal papers and the prosecution of such application or applications.

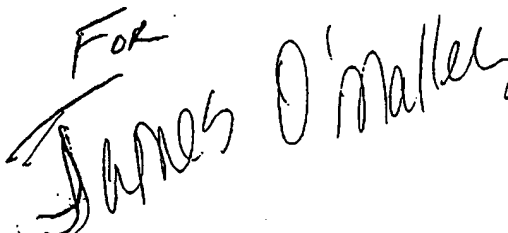
This license is granted under 37 CFR 5.15(a)

This license is to be retained by the licensee and may be used at anytime on or after the date thereof.
This license is not retroactive unless specifically indicated.

The grant of this license does not in any way lessen the responsibility of the licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Department of the Treasury; Office of Munitions Control, Department of State (with respect to Arms, Munitions and Implements of War); the Bureau of Trade Regulation, Office of Export Administration, Department of Commerce; and the Department of Energy.

LICENSE FOR FOREIGN FILING

[Title 35, United States Code (1952) Sections 184, 185, 186]

FOR


Messrs.
Trexler, Bushnell, Giangiorgi
& Blackstone, Ltd.
Attn.: Ms. Linda L. Palomar
105 West Adams Street, 36th Floor

Chicago, Ill. 60603-6299
U. S. A.

Bremen, 23 January 2002

Your Ref.: Greenlee Case 283-Germany (913/39742)
Our Ref.: G 588 SAS/inl
Direct Dial: +49-421-36 35 341

Greenlee Textron Inc.
German patent application 101 64 376.4
Hydraulic punch driver

Dear Ms. Palomar,

Thanking you for this order we would like to advise that the above mentioned application has now been filed in the German Patent and Trademark Office in foreign language. According to German Patent Law we will prepare and file a German translation until 28 March 2002 and report thereon upon filing.

Please, note all data regarding this case from the enclosed filing receipt and LIST OF PARTICULARS.

In the absence of respective instructions we have not yet requested examination of this application. The final term for filing the request for examination expires on 28 December 2008. ✓

Very truly yours,
Eisenführ, Speiser & Partner

Patentanwalt

Bremen
Patentanwälte
European Patent Attorneys
Dipl.-Ing. Günther Eisenführ
Dipl.-Ing. Dieter K. Speiser
Dr.-Ing. Werner W. Rabus
Dipl.-Ing. Jürgen Brügge
Dipl.-Ing. Jürgen Klinghardt
Dipl.-Ing. Klaus G. Göken
Jochen Ehlers
Dipl.-Ing. Mark Andres
Dipl.-Chem. Dr. Uwe Stilkenböhrer
Dipl.-Ing. Stephan Keck
Dipl.-Ing. Johannes M. B. Wasiljeff
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European Patent Attorney
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Dipl.-Ing. Olaf Ungerer
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Dipl.-Chem. Dr. Peter Schuler

Berlin
Patentanwälte
European Patent Attorneys
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Dipl.-Ing. Joachim von Oppen
Dipl.-Ing. Jutta Kaden
Patentanwalt
Dipl.-Phys. Dr. Andreas Theobald

Alicante
European Trademark Attorney
Dipl.-Ing. Jürgen Klinghardt

CASE: Greenlee 283-DE
FILE #: 913/39742
S/N i. filing date entered
Reg. for Ex. DUE 12/28/08

Encls.

- 1 Filing Receipt (Copy)
- 1 List of Particulars
- 1 Information Sheet
- 1 debit-note, in dupl.

RECEIVED
APR 23 2003
OFFICE OF PETITIONS

Empfangsbescheinigung

DEUTSCHES PATENT- UND MARKENAMT

(1) In der Anschrift Straße, Haus-Nr. und ggf. Postfach angeben

Sendungen des Deutschen Patent- und Markenamts sind zu richten an:

Eisenführ, Speiser & Partner
Martinistrasse 24

28195 Bremen

Antrag
auf Erteilung
eines Patents

1

Vordruck nicht für PCT-Verfahren verwenden s. Rückseite

☐ TELEFAX vorab am

Aktenzeichen (wird vom Deutschen Patent- und Markenamt vergeben)

101 64 376.4

(2) Zeichen des Anmelders/Vertreters (max. 20 Stellen)
G 588

Telefon des Anmelders/Vertreters
36 35 -0

Datum
27.12.2001/pls

(3) Der Empfänger in Feld (1) ist der

ggf. Nr. der Allgemeinen Vollmacht

☐ Anmelder

☒ Zustellungsbevollmächtigte

☒ Vertreter

(4) **Anmelder**

GREENLEE TETRON INC.
4455 Boeing Drive
Rockford, Illinois 61109
Vereinigte Staaten von Amerika

Vertreter

Eisenführ, Speiser & Partner
Martinistrasse 24

28195 Bremen

nur auszufüllen, wenn abweichend von Feld (1)

Handelsregisternummer

nur bei Firmen anzugeben

☐ Der Anmelder ist eingetragen im Handelsregister Nr. _____ beim Amtsgericht

(5) Anmeldercode-Nr.

Vertretercode-Nr.

Zustelladresscode-Nr.

ABT

ERF

(6) **Bezeichnung der Erfindung**

Hydraulischer Schlagantrieb

IPC-Vorschlag
d. Anmelders

s. auch Rückseite
IPC-Vorschlag ist unbedingt anzugeben, sofern bekannt

(7) **Sonstige Anträge**

Aktenzeichen der Hauptanmeldung (des Hauptpatents)

☐ Die Anmeldung ist **Zusatz** zur Patentanmeldung (zum Patent)

☐ **Prüfungsantrag** - Prüfung der Anmeldung mit Ermittlung der öffentlichen Druckschriften (§ 44 Patentgesetz)

☐ **Rechercheantrag** - Ermittlung der öffentlichen Druckschriften ohne Prüfung (§ 43 Patentgesetz)

☐ **Lieferung von Ablichtungen** der ermittelten Druckschriften im ☐ Prüfungsverfahren ☐ Rechercheverfahren

☐ **Aussetzung des Erteilungsbeschlusses** auf _____ Monate (§ 49 Abs. 2 Patentgesetz)
(Max. 15 Mon. ab Anmelde- oder Prioritätstag)

s. Erläuterung u. Kostenhinweise auf der Rückseite

(8) **Erklärungen**

Aktenzeichen der Stammanmeldung

☐ **Teilung/Ausscheidung** aus der Patentanmeldung

☐ an **Lizenzvergabe** interessiert (unverbindlich)

☐ **Nachanmeldung im Ausland** beabsichtigt (unverbindlich)

(9) ☐ Inländische **Priorität** (Datum, Aktenzeichen der Voranmeldung)

☒ **Ausländische Priorität** (Datum, Land, Aktenz. der Voranmeldung; vollständige Abschrift(en) der ausländischen Voranmeldungen beifügen)

1. 05. Januar 2001 - U.S.A. - 60/259,947 2. 13. November 2001 - U.S.A. - folgt

s. auch Rückseite

(10) **Gebühreuzahlung in Höhe von** 100.00 DM

☐ Scheck ist beigelegt

☐ **Überweisung** (nach Erhalt der Empfangsbescheinigung)

☒ **Abbuchung** von meinem/unserem Abbuchungskonto bei der Dresdner Bank AG, München

☐ **Gebührenmarken** sind beigelegt
(bitte nicht auf die Rückseite kleben, ggf. auf gesondertes Blatt)

Abbuchungsauftrag (V 1244) ist beigelegt

(11) **Anlagen**

5. 22 Seite(n) Patentansprüche
Anzahl Patentansprüche

Anlagen 1. _____ Vertretervollmacht
3. - 7. 2. _____ Erfinderbenennung
jeweils 3-fach 3. 1 Zusammenfassung
(ggf. mit Zeichnung Fig. _____)

6. 6 Blatt Zeichnungen
7. _____ Abschrift(en) d. Voranmeld.
8. _____ Zitierte Nichtpatentliteratur

Stefan Sasse

s. auch Rückseite 4. 16 Seite(n) Beschreibung
(ggf. mit Bezugszeichenliste)

9. _____ (12) Unterschrift(en)

Nur von der Annahmestelle auszufüllen:

Diese Patentanmeldung ist an dem durch Perforierung angegebenen Tag beim Deutschen Patent- und Markenamt eingegangen. Sie hat das o.a. Aktenzeichen erhalten.

Dieses Aktenzeichen ist bei allen Eingaben anzugeben. Bei Zahlungen ist das vollständige Aktenzeichen und der Verwendungszweck in Form des Gebühren-codes (s. Rückseite zu Feld (10)) zu vermerken.

☐ Gebührenmarken im Wert von _____ DM sind entrichtet.

☐ Bei Abbuchung V 1244 bzw. Doppel an Zahlstelle gesandt.

Bitte beachten Sie die Hinweise

LIST OF PARTICULARS

Date: 23 January 2002

YOUR FILE: Greenlee Case 283-Germany (913/39742)

OUR FILE: G 588

APPLICATION FOR: patent application

COUNTRY: Germany

SERIAL NUMBER: 101 64 376.4 ✓

APPLICANT: Greenlee Textron Inc.
4455 Boeing Drive
Rockford, Illinois 61109

TITLE: Hydraulischer Schlagantrieb

PRIORITIES: 05.01.2001 - 60/259,947 - US
13.11.2001 - - US

FILING DATE: 28 December 2001 ✓

LAID OPEN AFTER APPROX.: 5 July 2002

EXAMINATION PETITION: 28 December 2008 ✓

ANNUITIES FROM: 31 December 2003 ✓

CPA

TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR LTD.

COUNSELORS AT LAW

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FOUNDED 1890

PATENT, TRADEMARK, COPYRIGHT
AND RELATED MATTERS; ALL PHASES
INCLUDING LICENSING AND LITIGATION

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PAIGE A. KITZINGER

February 7, 2002

OF COUNSEL
RICHARD BUSHNELL

VIA FACSIMILE

Eisenfuhr, Speiser & Partner
Martinistrasse 24
28195 Bremen
GERMANY

Re: German Patent Application No. 101 64 376.4
In the name of Greenlee Textron Inc.
Your Ref.: G 588 SAS/hs
Our Ref.: Greenlee Case 283-Germany (913/39742)

Dear Sirs:


Thank you for your letter dated 23 January 2002 regarding the above-identified German patent application. There is, however, some confusion as to the filing date of the German patent application.

In our letter to you dated 10 December 2001, we requested that you file the application before January 5, 2002, but that you do not file the application until we notify you that the Foreign Filing License was granted. Then, in our letter dated 2 January 2002 we requested that you file the application on 4 January 2002. In response to our two letters, you confirmed in a letter dated 3 January 2002 that the application would be filed before 5 January 2002.

Thus, based on the correspondence described above, we do not understand why your letter dated 23 January 2002 states that the filing date for the German patent application is 28 December 2001, as the application should have been filed on 4 January 2002. Please explain.

Sincerely,

TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

By: 
James A. O'Malley

JAO:305301

TREXLER, BUSHNELL, GIANGIORGI, BLACKSTONE & MARR LTD.

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OF COUNSEL
RICHARD BUSHNELL

February 7, 2002

VIA FACSIMILE 4 Mail

February 13, 2002

REMINDER

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TREXLER, BUSHNELL, GIANGIORGI,
BLACKSTONE & MARR, LTD.

By: 

James A. O'Malley

JAO:305301

Case 283
913/38954

February 19, 2002
RAG/LLP/JAO/tes

Applicant: NORDLIN et al.
Serial No.: Not yet assigned
Filed: November 13, 2001
For: HYDRAULIC PUNCH DRIVER

Enclosed: PETITION FOR RETROACTIVE LICENSE (37 CFR §5.25) (in duplicate);
exhibits A through C and 1 through 8 (in duplicate); a check in the amount of \$130.00;
Certificate of First Class Mailing and this postcard.

Receipt Acknowledged: _____

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HON. COMMISSIONER FOR TRADEMARKS:

**Kindly stamp card with date of receipt of attached
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BLACKSTONE & MARR, LTD.

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THE NORTHERN TRUST COMPANY
CHICAGO, ILLINOIS 60675
2-15-710

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Commissioner of Patents and Trademark

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